

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
JOINT APPROPRIATIONS SUBCOMMITTEE
ROOM W015, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX
January 22, 2007**

Members Present: Sen. Michael G. Waddoups, Co-Chair
Rep. Eric K. Hutchings, Co-Chair
Sen. Scott D. McCoy
Rep. Douglas C. Aagard
Rep. Keith Grover
Rep. Christopher N. Herrod
Rep. Brad King
Rep. Curtis Oda
Rep. Jennifer M. Seelig

Members Absent: Sen. Curtis S. Bramble

Staff Present: Gary Ricks, Fiscal Analyst
Derek Byrne, Fiscal Analyst
Carrie Griffith, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Sen. Waddoups called the meeting to order at 2:13 p.m.

Voting/Review of Courts Budgets

Derek Byrne, Fiscal Analyst, referred the committee to Tab 20 of the COBI, under Judicial Branch, and briefly reviewed the Courts Budget Brief and the Analysts recommendations.

MOTION: Rep. Aagard moved to approve a building block of \$162,000 for two law clerks on a one-year contract. The motion failed, with Rep. Oda and Rep. Aagard voting in the affirmative.

Dan Becker, State Court Administrator, made comments on how long law clerks generally are hired. They would rather have \$570,000 ongoing money rather than a one-time building block of \$162,000 because law clerks generally work at least two or three years.

MOTION: Rep. Hutchings moved to approve the base budget of \$121,800,500 for Courts, as recommended by the Fiscal Analysts. The motion passed unanimously.

MOTION: Rep. Hutchings moved to approve the Governor's recommendation of \$470,600 for five law clerks. The motion passed, with Rep. Aagard voting in opposition.

MOTION: Sen. McCoy moved to adopt the Nonlapsing Intent Language for Courts, which states:

"It is the intent of the Legislature that the funds for the Courts' line-items shall not lapse."

The motion passed unanimously.

MOTION: Rep. King moved to adopt the Courts Building Block requests on items 2-13 of the Issue Brief as requested by the Courts. The requests are as follows: **Ongoing Requests--** 3rd District Juvenile Court Judge \$260,200; Court Commissioner \$144,400; Guardian ad Litem Staff Request \$1,567,600; Courts Contract and Security Increases \$626,800; Juror/Witness/Interpreter Increase \$150,000; Baliff Security Increase \$500,000; Security Officer \$86,400; **One-time Requests--** Data Processing Equipment \$240,000; Imaging Software Licenses \$110,000; Self-represented Parties Pilot Program \$104,900; Guardian ad Litem Staff Request \$133,100; Juror/Witness/Interpreter \$232,800.

The motion passed unanimously.

Sen. Waddoups and Rep. Hutchings reminded the Committee and Departments that these are tentative votes only. The Committee will prioritize near the end of the session and ask for a ranking ballot of priorities from each department.

Voting/Review of Governor's Office

Gary Ricks, Fiscal Analyst, referred the committee to Tab 7 of the COBI and briefly reviewed the Office of the Governor's Budget Brief and the Analysts recommendations.

MOTION: Sen. McCoy moved to adopt the Governor's Base Budget requests as presented in the Budget Brief for \$20,494,200. The motion passed unanimously.

MOTION: Rep. Hutchings moved to adopt the following intent language for the Governor's Office, which states:

"The Legislature intends that funds provided for the Governor's Office shall not lapse;"

"The Legislature intends that funds provided for the Lieutenant Governor's Office- Character Education shall not lapse;"

"The Legislature intends that funds provided for the Governor's Emergency Fund shall not lapse;"

"The Legislature intends that funds provided for the Governor's Office of Planning and Budget shall not lapse;" and

"The Legislature intends that funds provided for the Commission on Criminal and Juvenile Justice shall not lapse."

The motion passed unanimously.

Referring to a handout titled "Governor's Line Item Budget Additions," the following motions were made:

MOTION: Rep. Hutchings moved to recommend a switch in CCJJ funding source of \$250,000 to go to the General Fund instead of the Restricted account. The motion passed unanimously.

David Walsh, Budget Analyst, Governor's Office, responded to questions and concerns of committee members regarding Automated Victim Notification and Offender Tracking and the State Asset Forfeiture Funds Grant Program .

MOTION: Rep. Hutchings moved to add Automated Victim Notification and Offender Tracking for \$500,000 and State Asset Forfeiture for \$200,000 to the building block list. The motion passed unanimously.

MOTION: Sen. McCoy moved to adopt a one-time general fund for the Awareness Fund and two ongoing restricted funds for Meth Task Forces be added to the priority list.

SUBSTITUTE

MOTION: Rep. Herrod moved to divide the motion.

MOTION: The first part of the motion is to request \$2 million for the Meth Awareness Campaign. The motion passed unanimously.

MOTION: The second part of the motion is for Task Force Transfers from the general fund to the new restricted fund. The motion passed unanimously.

MOTION: Rep. King moved to add the Voting System Software License, \$1,398,690 one-time and Voting System Hardware Maintenance, \$2,072,250 one-time to the Priority List.

SUBSTITUTE

MOTION: Rep. Aagard moved to add all four items from the Lt. Governor's Office requests to the Priority List as follows: Voting System Software License \$1,398,690 one-time; Voting System Hardware Maintenance \$2,072,250 one-time; Western States Presidential Primary \$1,500,000 one-time; Fourth District Election \$3,350,000 one-time.

SUBSTITUTE

MOTION: Sen. Waddoups moved to divide the motion.

MOTION: The first motion is to add to the priority list the first two items as mentioned above relating to the Voting System Software License and Voting System Hardware Maintenance. The motion passed unanimously.

MOTION: The second motion is for the Western State Presidential Primary as mentioned above. The motion failed in the Senate, with both Sen. Waddoups and Sen. McCoy voting in opposition. Rep. Oda and Rep. Herrod also voted in opposition.

MOTION: The third motion is for the Fourth District Election as mentioned above. The motion failed, with Rep. Aagard voting in the affirmative.

Honorary Colonels were in attendance in support of the Highway Patrol. Col. Craig Moody, Chairman Honorary Colonels Association, Utah Highway Patrol, gave a brief overview of the Association's role, emphasizing they assist the Highway Patrol and are a volunteer organization that represent 29 individuals located throughout the State. A handout regarding compression issues was distributed and discussed in depth by Col. Moody.

Richard Carling, founding member of Honorary Colonels Association and former Senator, explained the reasons he became an advocate for the troopers. He pleaded with the committee to help fund the troopers budget. Shane Nebeker, President Utah Highway Patrol Association, explained the aforementioned handout further, explaining the troopers pay scale. He asked that compression levels be brought up to make the troopers wages more competitive with their peers. Rex Black, previous Utah State Senator, also encouraged committee members to help fund the troopers budget.

Public Safety Budget Review

Gary Ricks, Fiscal Analyst, referred committee to Tab 11 of the COBI and reviewed the Department of Public Safety Budget Brief. The Issue Brief regarding Restored Line Items and the DPS Fees schedule was also reviewed by Mr. Ricks. He stated these fees need to be approved by the Legislature each year. Questions were raised by committee members regarding the budget and answered by Mr. Ricks.

Scott Duncan, Commissioner, assisted by Joe Brown, Administrative Services Director, introduced many members of the Department.

Several handouts were distributed and discussed in detail by Mr. Duncan and Mr. Brown, specifically handouts detailing the Department's top three priorities, which are: Additional funds for Concealed Weapons Permit Program (BCI), Peace Officer Standards and Training (POST), \$275,000 one-time from restricted fund, and Driver License \$566,600 ongoing, \$248,600 one-time.

Nannette Rolfe, Director Driver License, responded to questions regarding the driver license budget request and explaining the reasons the Division would like to raise some of their fees or receive ongoing funds to help keep them afloat. Mr. Duncan explained other budget requests for the Department, which are: Utah Highway Patrol Technology, Computer replacement laptops for UHP, Operating Costs for backup data storage system, Fire Marshal, and State Law Enforcement Forfeiture for UHP.

Phil Bates, I.T. Director, responded to questions raised by committee members regarding UHP technology requests.

Staff was asked to bring a report of all special and restricted funds for the committee to review at

the next meeting.

Mr. Duncan responded to questions raised by committee members regarding other budget items the Department would like to see funded but are not on the Governor's recommended budget list. Although the Department would like the funding for several other items (referred to on a handout titled "Budget Requests (Not Recommended by governor)," they will not ask for it this year because it was not recommended by the Governor.

Committee members were invited to meet on the west side of the building after the meeting to look at one of the Department's new Dodge Chargers.

Handouts referring to the Department's Annual Report and the Highway Safety Report were distributed to committee members for their review.

A Technology Fact Sheet handout was explained by Mr. Brown.

Mr. Brown answered questions that were brought up in the January 10, 2007 meeting relating to budget cuts of the Utah Highway Patrol. Handouts titled "Ongoing General Fund Reductions," and "Budget Requests (Not Recommended by governor)" were distributed for the committee's review.

Committee members expressed appreciation for the service the Department provides for each of us and thanked them for the wonderful job they are doing.

Sen. Michael G. Waddoups, Co-Chair

Rep. Eric K. Hutchings, Co-Chair